

Appl. No. 09/827,440

REMARKS

The following remarks are in response to the Office Action mailed on October 1, 2002. Upon entrance of the amendments set out above, Claims 25-34, 36-45 remain pending in this application.

The Examiner objected to the specification because the preliminary amendment referred to Figure 6, which was not included in the preliminary amendment. The Examiner rejected Claims 25-44 under the doctrine of obviousness-type double patenting. Claims 36 and 42 were rejected under 35 USC §112 as being indefinite. Claim 34 was rejected as being anticipated. Claims 36, 37-39 and 45 were rejected under 35 USC §103(a). Response is hereby made to these rejections.

The Examiner objected to the specification because new Figure 6 was referred to in the preliminary amendment, but not included with the preliminary amendment. Figure 6 is included herewith. Accordingly, this objection should be withdrawn.

Claims 25-44 were rejected under the doctrine of obviousness-type double patenting over claims 1-23 of US Patent No. 6239407, Claims 1-23 of US Patent No. 6002103, and Claims 1-24 of US Patent No. 5601741. A terminal disclaimer is enclosed herewith. Accordingly, this rejection should be withdrawn.

Claims 36 and 42 were rejected under 35 USC §112, second paragraph, as being indefinite. Claims 36 has been amended to provide antecedent basis for the converter. Claim 42 has been amended to depend from claim 41. Accordingly, these rejection should be withdrawn.

Claim 34 was rejected under 35 USC §102(b) as being anticipated by Turbitt (3025388). Claim 34 has been amended to include the "boost converting" feature of claim 35. Accordingly, Applicants respectfully submit that claim 34 is now allowable.

Claims 37-39 were rejected under 35 USC § 103(a) as being unpatentable over Turbitt in view of Karino. Given the

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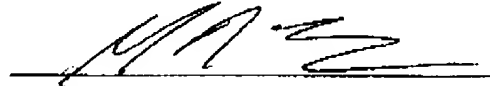
amendment to claim 34, Applicants respectfully submit that these claims should now be allowed.

Claim 45 was also rejected under 35 USC § 103(a) as being unpatentable over Turbitt or Karino. The "boost converting" feature of claim 35 has been added to claim 45. Accordingly, claim 45 should now be allowed.

In view of the above amendments and remarks, Applicants respectfully submit that the application should be allowed. The Examiner is invited to telephone the undersigned below if it will aid in the prosecution of this application.

Attached hereto is a marked up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully Submitted



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

1 34. (Amended) A method of providing a welding,
2 cutting or heating current, comprising:
3 boost converting and power factor correcting an ac
4 input signal to a second ac signal; and
5 changing the second ac signal into a third signal
6 having a current suitable for welding, cutting or heating.

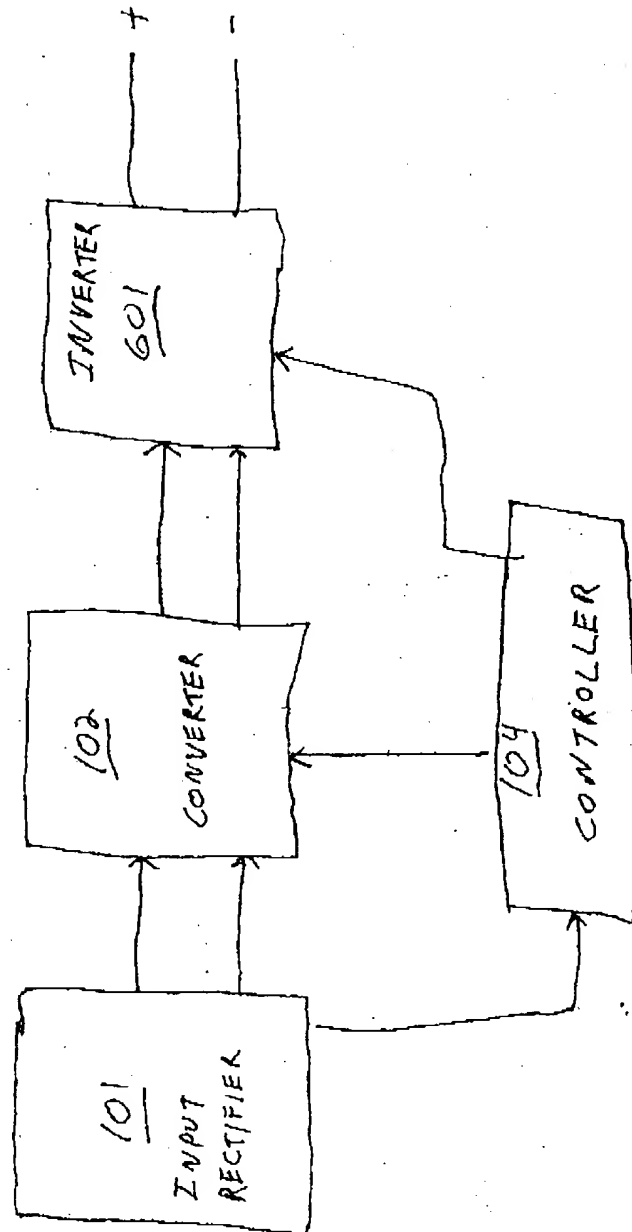
1 36. (Amended) The method of claim 34 further
2 including providing control signals to [the] a converter.

1 42. (Amended) The apparatus of claim [42] 41, wherein
2 the output means includes a pulse width modulator.

1 45. (Amended) A weldment or metal cut formed by a
2 process which comprises:
3 boost converting and power factor correcting an ac
4 input signal to a second ac signal; and
5 changing the second ac signal into a third signal
6 having a current suitable for welding or cutting.

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FIGURE 6



PATENT

Attorney's Docket No. ITW 7188.62

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James M. Thommes

Application No.: 09/827,440

Group Art Unit: 2182

Filed: April 6, 2001

Examiner: Shaw, C.

For: Method And Apparatus For Receiving A Universal Input Voltage
In A Welding Power SourceAssistant Commissioner for Patents
Washington, D.C. 20231TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION (37 CFR 1.321(c))

Identification of Persons Making This Disclaimer

I, George R. Corrigan, represent that I am the attorney
of record for this invention.

EXTENT OF DISCLAIMERS INTEREST

The extent of the interest in this invention that the disclaimant
owns is in the whole of this invention.

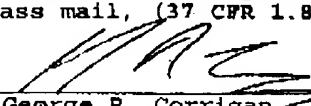
DISCLAIMER

The terminal part of the statutory term of any patent
granted on the above-identified application, which would extend
beyond the expiration date of the full statutory term defined in
35 U.S.C. 154 to 156 and 173 of United States Patent Nos.
6239407, 6002103, 5601741, as presently shortened by any terminal
disclaimer, is hereby disclaimed, except as provided below, and
it is agreed that any patent so granted on the above-identified
application shall be enforceable only for, and during, such
period that the legal title to the patent shall be the same as
the legal title to United States Patent Nos. 6239407, 6002103,
5601741, this agreement to run with any patent granted on the
above identified application and to be binding upon the grantee,
its successors or assigns.

CERTIFICATION 37 CFR 1.8(a) and 1.10

I hereby certify that this correspondence is, on the date shown below, being:
deposited with the United States Postal Service in an envelope addressed to
the Assistant Commissioner for Patents, Washington, D.C. 20231, with
sufficient postage as first class mail, (37 CFR 1.8(a)).

Date: Dec. 30, 2002


George R. Corrigan

In making the above disclaimer, disclaimant does not disclaim the term as a part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of United States Patent No. 6239407, 6002103, 5601741 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

FEE
(37 CFR 1.20(d))

Please charge the fee of \$110.00, and any other fee that may be due, to deposit account No. 50-0599.


SIGNATURE OF ATTORNEY

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